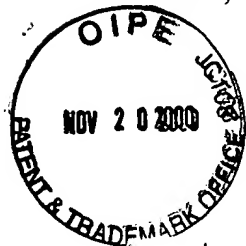


#3

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled:

**BATTERY PACK HAVING INTEGRAL OPTICAL READER FOR WIRELESS
COMMUNICATION DEVICE**

the specification of which was filed July 27, 2000 and assigned Serial No. 09/627,197;

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me which is material to patentability as defined in 37 C.F.R. § 1.56 (a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a) of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

I hereby claim provisional priority benefits under 35 U.S.C. § 119(e) of any provisional application(s) for patent or inventor's certificate listed below and have also identified any provisional application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C § 112, I acknowledge the duty to disclose material information as defined 37 C.F.R. § 1.56 (a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

This application is a Continuation-in-Part of pending U.S. Patent Application Serial No. 09/580,848 (Atty. Dkt. No. PHLY-25,087) entitled "OPTICAL READER AND USE" filed on

May 30, 2000, which is a Continuation-in-Part of pending U.S. Patent Application Serial No. 09/378,221 (Atty. Dkt. No. PHL Y-24,669) entitled "METHOD AND APPARATUS FOR ACCESSING A REMOTE LOCATION BY SCANNING AN OPTICAL CODE" filed on August 19, 1999, which is a Continuation-in-Part of the following two pending U.S. Patent Applications: Serial No. 09/151,471 (Atty. Dkt. No. PHL Y-24,397) entitled "METHOD FOR INTERFACING SCANNED PRODUCT INFORMATION WITH A SOURCE FOR THE PRODUCT OVER A GLOBAL NETWORK," and Serial No. 09/151,530 (Atty. Dkt. No. PHL Y-24,398) entitled "METHOD FOR CONTROLLING A COMPUTER WITH AN AUDIO SIGNAL," both filed on September 11, 1998.

I hereby appoint:

Gregory M. Howison, Reg. No. 30,646
Roger N. Chauza, Reg. No. 29,753
Mark W. Handley, Reg. No. 36,821
John J. Arnott, Reg. No. 39,095
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of the firm HOWISON, CHAUZA, HANDLEY & ARNOTT, L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications based thereon in any foreign country or before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:

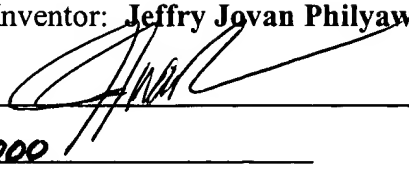
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Direct Telephone Calls To:

Gregory M. Howison
at (972) 479-0462
Atty. Docket No. PHL Y-25,372

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of the Sole Inventor: **Jeffry Jovan Philyaw**

Inventor's Signature: 

Date: 8/24/2000

Residence (City, State): **Dallas, Texas 75225**

Citizenship: **U.S.A.**

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